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SUBJECT: SCENESETTER FOR THE VISIT OF DRL ASSISTANT SECRETARY DAVID
KRAMER TO THE DRC, SEPTEMBER 10-13

¶1. (SBU) Summary: The Democratic Republic of the Congo (DRC) is grappling with fundamental governance, security and development challenges following historic 2006 national elections. The promise of peace and democratization and the importance of the DRC as the linchpin of Central Africa and beyond have made it one of the Department's top seven priority assistance countries in Africa. However, continued widespread insecurity only amplifies a political and judicial vacuum throughout the country, contributing to a pervasive climate of impunity in which armed men routinely abuse civilians, particularly women and children. There are clear signs the population is growing impatient with the pace of the government's efforts and skeptical that democracy can solve the country's problems. Your visit will reaffirm U.S. commitment to a long partnership with the Congolese people to develop democratic institutions and reinforce our shared objective of a peaceful and prosperous DRC.

¶2. (SBU) The Mission's overriding goals focus on reinforcing Congolese political will and capacity for robust and effective leadership and oversight at all levels of government, while promoting broad economic development. Together with Washington and other diplomatic missions, we will identify and engage key decision-makers and implement results-oriented initiatives to support transparent governance, legislative accountability, judicial independence, political pluralism and provincial and local autonomy.

Our assistance programs focus on enhancing security, fighting poverty, and supporting democratic reforms -- fully supporting and reflecting the transformational diplomacy goals laid out by Secretary Rice. Foreign assistance resources for the DRC are increasing. The FY 2006 bilateral foreign assistance budget for DRC programs totaled \$68 million, including funds received from central accounts but excluding humanitarian assistance. Amounts for FY 2007 rose to \$71 million (with supplemental funding), and rose again in FY 2008 to over \$150 million (also including supplemental funding), including increases for peace and security (including military cooperation), governing justly and democratically, health, HIV/AIDS, education, and economic growth programs. Humanitarian assistance has provided an additional \$80 million per year on average during this period. Amounts for FY 2007 rose to \$71 million (with supplemental funding), and rose again in FY 2008 to over \$150 million (also including supplemental funding), including increases for peace and security (including military cooperation), governing justly and democratically, health, HIV/AIDS, education, and economic growth programs. Humanitarian assistance has provided an additional \$80 million per year on average during this period. This, however, does not reveal the full story: total U.S. assistance, including our contribution of approximately \$300 million to MONUC plus significant donations to other international organizations, are likely to bring our total assistance levels to the DRC this year to more than \$600 million. End summary.

Democracy and Governance

¶3. (SBU) The Congolese people had high expectations that the democratic process would improve their lives. New institutions, however, have been slow to generate momentum. The 500-member

National Assembly counts only a small number of members with legislative or government experience. The Assembly and the 106-member Senate have only begun to consider a heavy agenda of major legislation. Parties and candidates aligned with Kabila's electoral coalition, the Alliance for the Presidential Majority (AMP), have working majorities in the National Assembly and Senate, as well as eight of 11 provincial assemblies and ten of 11 governorships -- leaving the opposition with little apparent political clout. Provincial officials are unfamiliar with decentralized authority and lack resources, money and experience. Elections for local and municipal officials are tentatively scheduled for mid-2009 at the earliest.

¶4. (SBU) USG governance and institutional reform programs, budgeted at \$18.6 million for FY 2008, focus on combating corruption and human rights abuses, developing independent judicial and legislative institutions, facilitating decentralization of state authority, and supporting local elections. Objectives include long-term transformation, as well as direct citizen access to services. USAID has provided assistance to National Assembly deputies drafting key legislative proposals, including laws relating to the financing of political parties, decentralization, the establishment of a national election commission and the protection of human rights. In addition, USAID has conducted capacity-building seminars for National Assembly deputies and staffers, supported the creation of provincial watchdog and advocacy groups to encourage citizen participation in democratic processes, and worked to develop skills of political party members, foster grassroots anti-corruption initiatives, and establish mobile courts and legal aid clinics.

Human Rights and Gender-Based Violence

¶5. (SBU) Security forces and armed groups remain responsible for most human rights violations in the DRC, including unlawful killings, disappearances, torture, rape and arbitrary arrest and detention. Human rights advocates have extensively documented the involvement of these elements in such abuses. Constitutionally-protected freedoms of association, speech, and protest are increasingly disregarded by security and administrative authorities using vague Mobutu and colonial-era laws to arrest and detain perceived critics. The Embassy is working with NGOs and other diplomatic missions to encourage Parliament to bring these laws into line with the 2006 constitution.

¶6. (SBU) Sexual violence against women and girls in eastern DRC is pervasive. While most of the recorded attacks have been by armed groups and the FARDC, reports of rape by civilians is increasingly prevalent. A general climate of impunity does nothing to discourage these acts. In a recent report, the UN Human Rights Integrated Office in the DRC (UNHRO) stated that, despite strengthened laws on sexual violence, "law enforcement personnel and magistrates continue to treat rape and sexual violence in general with a marked lack of seriousness. Consequently, men accused of rape are often granted bail or given relatively light sentences, and out-of-court settlements of sexual violence cases are widespread." In fact, relatively few cases are reported to the police, and fewer still result in prosecution.

¶7. (SBU) USAID and the Departments of State and Defense support activities to respond to and prevent sexual violence through a variety of interventions in the eastern provinces. Since 2002, USAID has allocated more than \$10 million for activities to combat gender-based violence in the Eastern DRC. In FY 2008, USAID is programming \$1.5 million to continue its holistic program of care and support for rape survivors and other victims of sexual abuse. The Defense Institute for International Legal Studies (DIILS) taught two three-week training sessions on the investigation of sex crimes in 2008 to nearly all 350 of the FARDC military magistrates and police investigators with investigatory and adjudicatory roles. The program, funded through PKO monies, sponsored sessions in eight different sites across the country, and received laudatory comments from the international community. A follow-up proposal for additional DIILS training is currently under review.

Peace and Security

¶8. (SBU) The Congolese military (FARDC) faces internal and external challenges. The USG and other partners are committed to seeing through progress in this area, though the pace of reform has been slow. DRC plans for reform of the military, police, and justice sectors lack a sense of priorities and appear to be little more than laundry lists to which donors are expected to pledge. In August 2008 the DRC launched another round of technical roundtables in each of the following sectors: formation of a Rapid Reaction Force; Disarmament, Demobilization, and Reintegration (DDR); and the situation in the east.

¶9. (SBU) USG assistance to the DRC security services aims to make an impact in the country. \$20 million in FY 2008 PKO funds is projected for the training of an infantry battalion. FY 2008 ESF Supplemental resources and FY 2008 National Defense Authorization Act (NDAA) Section 1207 resources provide support for stabilization, security sector reform, and military justice strengthening efforts. We have used PKO funds to rehabilitate the officer training institute and provide training for staff officers and military magistrates and investigators. The International Military and Education Training Program (IMET) funds U.S.-based courses that include English-language training. INCLE (International Law Enforcement and Control) funds from the Department of State's Bureau of International Narcotics and Law Enforcement Affairs (INL) are being allocated to stand up the Congolese border police in Ituri District. The Nonproliferation, Antiterrorism, Demining and Related Projects appropriation - "NADR" -pays for the destruction of obsolete ordnance. In addition, the \$300 million in U.S. funding for MONUC now also supports its new FARDC training program, designed to assist the military plus up its capabilities in the context of its operations in the east.

¶10. (SBU) MONUC is of course also heavily involved in this area. One key aspect of MONUC's activities involves what is known as the "stabilization plan," which aims to lay the groundwork for the mission's eventual and orderly withdrawal, particularly from the east. The plan is supported by an assistance package for implementation, and consists of four principal components: a security component, by which armed groups are disbanded through a combination of political and military means; a political component, which involves GDRC political actors advancing the peace processes; a state authority component, by which institutions such as the police, judiciary, and other elements of public administration are

strengthened; and a return and reintegration component, which aims to aid and resettle ex-combatants, refugees, and internally displaced persons in local communities.

Economic Issues

¶11. (SBU) The GDRC is working to implement the Poverty Reduction Strategy Paper (PRSP) approved in mid-2006 by the IMF and World Bank boards. The government's five-year program, approved by the National Assembly in February 2007, is based on the PRSP and focuses heavily on President Kabila's five priority areas: infrastructure; employment; education; water/electricity; and health. Economic growth will depend on progress in these areas. In early 2008 the GDRC concluded a major agreement with the Chinese government. Though not all details have been made public, the GDRC announced that it will exchange over 8 million tons of copper and over 200,000 tons of cobalt for an estimated \$6 billion in Chinese-funded infrastructure projects, including roads, railway, universities, hospitals, housing and clinics. China will also spend an estimated \$3 billion in the mining sector on as-yet-unnamed mining concessions. China is exploring other possible "infrastructure for natural resources" deals with the DRC.

¶12. (SBU) The USG is an active participant in the international donors' Country Assistance Framework (CAF) process for 2007-10, designed to align assistance strategies and support GDRC efforts to implement the PRSP. Bilateral USG foreign assistance funding for economic growth is modest, with only \$8 million designated for

activities to increase agricultural productivity, although this is supplemented by a \$30 million, three-year Food for Peace program to help spur rural development. USAID has active global development alliances with mining, agro-business and health partners. In addition, USAID has an existing public-private partnership (Global Development Alliance) with the American mining company Freeport McMoRan, and USAID and the British Department for International Development (DFID) are collaborating on efforts to develop new public-private partnerships with several important companies in the copper sector and help the GDRC implement the Extractive Industries Transparency Initiative (EITI).

The Scene Today

¶13. (SBU) Your arrival comes at a moment of continued tension, as well as continued hope. The Congolese people look to their government, and the international community, for help to bring an end to the endemic abuses and conflicts in their country that have cost billions of dollars, uprooted hundreds of thousands of people and resulted in millions of deaths. Despite some progress, an atmosphere of widespread insecurity persists, contributing to a political and judicial vacuum in which women and children are routinely abused, and in which the perpetrators go unpunished. There are clear signs the population is growing impatient with the pace of the government's efforts and skeptical that democracy can solve its problems. In this environment, we ask you to help us to reinforce the following messages:

-- The Congolese people rightly expect responsible leadership at home, as well as supportive international partners. We will continue to support the new leadership to develop transparent practices, establish good governance for the well-being of the Congolese people, and improve the stewardship of its abundant natural resources.

-- Congo has taken remarkable strides to replace war with peaceful democratic change. The United States is eager to see that momentum continue. A large part of such momentum consists in addressing the continued impunity with which certain elements of the Congolese state, particularly the security forces, abuse the citizenry.

-- The USG is particularly concerned by the extent of abuses, to include gender-based violence, in eastern Congo. Connected to this is the necessity to see the Nairobi and Goma processes through. The USG strongly supports both processes and are contributing funds and expertise to ensure their success will bring lasting peace and stability to the region.

-- We continue to push for the passage of key legislation that will form a key part of the DRC's democratization agenda, to include laws related to the judiciary and the decriminalization of press offenses.

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